

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 3181 – SB 3290

May 18, 2010

**SUMMARY OF AMENDMENT (018694):** Deletes the language of the original bill. Prohibits sexual offenders and violent sexual offenders from establishing a residence with three or more like offenders. Prohibits persons owning or controlling any place of habitation to permit three or more sexual or violent sexual offenders from establishing residence together.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – \$3,000  
Increase State Expenditures – \$2,400

Increase Local Revenue – \$9,400  
Increase Local Expenditures – \$11,900\*

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Increase State Expenditures – \$5,700/Incarceration\***

**Increase Local Expenditures – Not Significant**

Assumptions applied to amendment:

- Current Board of Probation and Parole (BOPP) regulations prohibit offenders from sharing a residence with one or more sexual offenders.
- According to the BOPP, only two offenders have a shared residence within the state.
- Violation will result in a Class E felony.
- According to the Department of Correction (DOC), the average operating cost per offender per day for calendar year 2010 is \$59.86.
- Estimate assumes there will be one additional Class E felony conviction every five years.

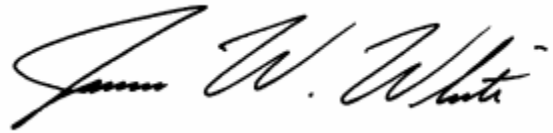
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- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past ten years, yielding a projected compounded population growth of 11.78 percent over the next 10 years. No significant incarceration cost increase will occur due to population growth in this period. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one offender every five years. According to DOC, the average post-conviction time served for a Class E felony is 1.31 years (478.48 days). The annualized cost per conviction is \$5,728 (0.20 annual number of convictions x 478.48 days x \$59.86).
- There will be a not significant increase to local government expenditures to monitor the living arrangements of registered sexual offenders.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

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